

WHEN RECORDED, MAIL TO:

SALT LAKE COUNTY SERVICE AREA NO. 1
5624 SOUTH 4800 WEST
P.O. BOX 18463
SALT LAKE CITY, UTAH 84118

5995731
12/30/94 2:39 PM**NO FEE**
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
SALT LAKE COUNTY SERVICE NO.1
5624 SO. 4800 W
SLC. UT 84118
REC BY:W MACKAY DEPUTY - WI

5995731

RESOLUTION

SALT LAKE COUNTY SERVICE AREA NO. 1
December 28, 1994

A RESOLUTION OF SALT LAKE COUNTY SERVICE AREA NO. 1
APPROVING ANNEXATION OF A CERTAIN AREA OF LAND TO THE
SALT LAKE COUNTY SERVICE AREA NO. 1; AND PRESCRIBING
OTHER MATTERS RELATING THERETO.

R E C I T A L S :

- A. Salt Lake County Service Area No. 1 (the "Service Area") is a duly organized county service area located in the Kearns area of Salt Lake County, Utah, established and operating as prescribed in Part 4 of Chapter 2, Title 17A, Utah Code Annotated, 1953 as amended, entitled County Service Areas (the "Act");
- B. The Service Area Board of Trustees (the "Board") has the authority to annex territory to the Service Area under Section 417 of the Act which provides that either the county legislative body (the County Commission) or the Board may adopt a resolution to initiate proceedings for annexation to the Service Area and to otherwise take those steps that are necessary to accomplish the annexation;
- C. The Board adopted a Resolution on September 7, 1994, initiating proceedings pertaining to a proposed Service Area annexation involving three parcels of property, gave public notice

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of the Board's intent to annex the area as described in the Resolution, and called a public hearing on the proposal to annex as required by law;

D. A public hearing on the annexation was set for and duly held by the Board on October 26, 1994, at 7:00 P.M. at the offices of the Service Area located at 5624 South 4800 West, Kearns, Utah, at which time and place all interested persons were invited to be heard either in support of or in opposition to the proposed annexation; and

E. No written or verbal protests to the annexation were made at the public hearing. Within 30 days after the hearing, protests were filed by the owners of property in parcel 3 requesting that their property not be included in the annexation, but no protests were received from property owners or registered voters in parcel 1 or parcel 2.

NOW, THEREFORE, the Board of Trustees of Salt Lake County Service Area No. 1, RESOLVES as follows:

Section 1. This Resolution is adopted by the Board for the purpose of fulfilling and complying with the statutory requirements of Sections 410 and 417 of the Act relating to annexations to County Service Areas by completing the annexation to the Service Area of the territory set forth and described in Section 3. of this Resolution.

Section 2. It is hereby found and determined:

a. Public notice of the public hearing was duly given by the publication of the Resolution referenced in Recital C. above, providing notice of the intention to annex, in the Deseret News, a newspaper of general circulation in Salt Lake County, once a week for four (4) consecutive weeks prior to the public hearing; the Resolution included the notice of the public hearing; and the first publication was at least twenty-eight (28) but not more than sixty (60) days before the hearing date and there were at least twenty (20) days between the first publication and the last publication as required by law;

b. The area to be annexed should be reduced by eliminating parcel 3, as requested by the property owners in accordance with section 410(4) (a) of the Act;

c. That the services of the type being provided by the Service Area should be provided to the unincorporated territory identified and described as Parcel 1 and Parcel 2 in Section 3.; and that the public health, convenience and necessity requires that the types of recreation services and facilities now furnished by the Service Area also be provided by the Service Area to the territory described in Section 3. below;

d. It is in the best general interest of the Service Area and of the property owners, residents, and taxpayers

within the territory to be annexed that the property described in Section 3. hereof be annexed to the Service Area;

e. Upon completion of the annexation, the Service Area will not contain any property which will not be benefitted by being included within the Service Area; and

f. No part of the territory that is hereby annexed is located within the boundaries of any city or town or outside of the boundaries of Salt Lake County or included in whole or in part within any other county service area, or any special service district or county improvement district which is authorized to perform the same functions or provide the same services as the Service Area.

Section 3. The area described below shall be and hereby is annexed to the Salt Lake County Service Area No. 1. The property annexed is generally described as follows:

Parcel 1: West of Bangerter Highway between approximately 5520 South and 5560 South and 40th West. Parcel 2: Misty Hills Subdivisions area.

Those areas are described with definiteness as follows:

PARCEL 1: BEG. AT A PT. THAT IS 1551.45 FT N AND 24.62 FT E FROM THE W $\frac{1}{4}$ CORNER OF SECTION 17, T. 2 S., R. 1 W., S.L.B. & M. AND RUNNING THENCE; N 0°05'30" W 32 FT MORE OR LESS; THENCE N 89°54'30" W 100.13 FT MORE OR LESS TO THE E RIGHT-OF-WAY LINE OF 4015 W ST; THENCE N 0°02'29" E 234.28 FT MORE OR LESS ALONG SAID RIGHT-OF-WAY; THENCE S 89°54'30" E 490.32 FT MORE OR LESS; THENCE N 79°10'20" E 205.3 FT MORE OR LESS; THENCE S 89°54'30" E 201.62 FT MORE OR LESS; THENCE S 89°54'30" E 782.47 FT MORE OR LESS ALONG THE SOUTH LINE OF SALT LAKE COUNTY SERVICE AREA NO.1 TO THE W RIGHT-OF-WAY LINE OF BANGERTER HIGHWAY; THENCE S 17°01'08" E 319.3 FT MORE OR LESS ALONG SAID RIGHT-OF-WAY; THENCE N 89°54'30" W 1669.98 FT MORE OR LESS TO THE PT OF BEG.

PARCEL 2: A PARCEL OF LAND LOCATED IN THE NW ¼ OF SECTION 20 AND NE ¼ OF SECTION 19, T. 2 S., R. 1 W., S.L.B. & M. MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEG. AT A PT. LOCATED IN THE NW ¼ OF SAID SECTION 20 THAT IS THE NE CORNER OF MISTY HILLS NO. 8 SUBDIVISION, AS RECORDED (RECORD NO. 3173265) IN THE SALT LAKE COUNTY RECORDERS OFFICE, WHICH IS ON THE S RIGHT-OF-WAY LINE OF 6200 SOUTH STREET; THENCE N 89°56'56" W 1,478 FT MORE OR LESS ALONG SAID SOUTHERLY RIGHT-OF-WAY OF 6200 SOUTH STREET TO THE CENTER LINE OF 4070 WEST STREET; (THENCE ALONG THE WEST JORDAN CITY BOUNDARY FOR THE FOLLOWING NINETEEN COURSES TO THE POINT OF BEGINNING), THENCE S 00°06'29" W 295.39 FT MORE OR LESS TO A CORNER OF THE CASTLEFORD ESTATES NO. 1 SUBDIVISION, AS RECORDED (RECORD NO. 4243377) IN THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE S 00°06'29" W 222.00 FT MORE OR LESS ALONG THE CASTLEFORD ESTATES NO. 1 BOUNDARY TO THE SE CORNER OF SAID SUBDIVISION; THENCE N 89°55'40" W 470.25 FT MORE OR LESS TO THE NW CORNER OF MISTY HILLS NO. 9 PLAT "C" SUBDIVISION, AS RECORDED (RECORD NO. 4122075) IN THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE S 0°06'29" E 926.32 FT MORE OR LESS TO THE SW CORNER OF MISTY HILLS NO. 9 PLAT "D" SUBDIVISION, AS RECORDED (RECORD NO. 4122077) IN THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE N 89°55'40" W 249.00 FT MORE OR LESS TO THE NW CORNER OF MISTY HILLS 12-A SUBDIVISION, AS RECORDED (RECORD NO. 4982266) IN THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE N 89°55'40" W 221.25 FT MORE OR LESS TO THE NW CORNER OF MISTY HILLS 12-B SUBDIVISION, AS RECORDED (RECORD NO. 5112148) IN THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE S 00°06'29" E 463.16 FT MORE OR LESS TO THE SW CORNER OF MISTY HILLS 12-B; THENCE S 00°06'29" E 463.16 FT MORE OR LESS; THENCE S 00°06'29" E 231.58 FT MORE OR LESS; THENCE S 89°55'40" E 470.25 FT MORE OR LESS; THENCE S 89°55'40" E 470.25 FT MORE OR LESS; THENCE S 89°55'40" E 470.25 FT MORE OR LESS; THENCE S 89°52'22" E 628.49 FT MORE OR LESS; THENCE N 27°32'03" W 228.03 FT MORE OR LESS; THENCE N 20°05'21" W 1096.08 FT MORE OR LESS; THENCE N 3°17'21" E 97.35 FT MORE OR LESS TO THE BOUNDARY OF MISTY HILLS NO. 9 PLAT "A" AS RECORDED WITH THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE NORTHEASTERLY ALONG THE BOUNDARY OF MISTY HILLS SUBDIVISION NO. 9 PLAT "A" TO THE SW SUBDIVISION CORNER OF MISTY HILLS NO. 8 PLAT "B", AS RECORDED (NO. 3286802) IN THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE N 55°57'00" E 798.00 FT MORE OR LESS ALONG SAID BOUNDARY OF MISTY HILLS NO. 8 PLAT "B"; THENCE N 00°03'42" W 206.00 FT MORE OR LESS TO THE NORTHEAST CORNER OF SAID PLAT "B", THENCE N 00°03'42" W 491.00 FEET MORE OR LESS TO THE POINT OF BEGINNING.

Section 4. Dating from and after the approval and adoption of this Resolution, the territory annexed hereby and described in Parcels 1 and 2 in Section 3. above shall be an integral part of the Service Area and will be provided with the same local park and recreation services and use of facilities as are now and may in the future be furnished by and within the Service Area. The taxable property located therein shall be subject to taxation for the purposes of the Service Area, including the payment of any bonds and other obligations thereof now outstanding or hereafter authorized and issued. All properties and users of services in the Service Area, as enlarged by this annexation, shall be subject to the payment of service charges and/or user fees and be subject to all the laws, rules, regulations, powers, and authority of the Service Area and its Board of Trustees as provided by law.

Section 5. The Service Area has issued general obligation recreation bonds, series 1993, in the amount of \$5,500,000.00 and is in the process of designing and planning for a major expansion of its facilities. None of the expansion will take place in the area that is hereby annexed, but the expansion will serve that area and the facilities and other improvements that are a part of the expansion will be available to the residents of the annexed area.

Section 6. This Resolution shall take effect immediately upon its approval and adoption. It shall also be published one time in a newspaper of general circulation in Salt Lake County. The County Recorder is hereby requested to place this Resolution on file for no fee and to return the same to the Service Area Clerk's office

for filing when completed. The Service Area Clerk is requested to send copies to the newspaper for publication and a certified copy to the Utah State Tax Commission, to serve as notice of the conclusion of the annexation proceedings. Upon its adoption by the Board, this Resolution will be on file in the offices of the Service Area located at 5624 South 4800 West, Kearns, Salt Lake County, Utah, and may be seen by any interested person during regular business hours of the Service Area.

APPROVED AND ADOPTED the 28th day of December, 1994.

SALT LAKE COUNTY SERVICE AREA NO. 1

By

Janice Lee Snider
Janice Lee Snider, Chairman

ATTEST:

Glen E. Kraft
Glen E. Kraft, Clerk

Janice Lee Snider voted "Aye".
Glen E. Kraft voted "Aye".
David Dewey "Absent".